

Notice of Allowability

Application No.

09/384,326

Examiner

Mariceli Santiago

Applicant(s)

YOSHIOKA ET AL.

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed March 19, 2008.
2. ☒ The allowed claim(s) is/are 1-42, 56-67, 69, 73-100 and 102-106.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 07/218,203.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 7, 2008 has been entered.

Response to Amendment

Receipt of the Amendments, filed on July 9, 2007 and March 19, 2008, is acknowledged. Cancellation of claims 43-55, 68, 70-72 and 101 has been entered. Claims 1-42, 56-67, 69, 73-100 and 102-106 are pending in the instant application.

Allowable Subject Matter

Claims 1-42, 56-67, 69, 73-100 and 102-106 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Original patented claims 1-42 stand allowed.

Regarding claim 56, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 56, and specifically comprising the limitations of an electron-emission layer having an electron-emission region included in at least a portion thereof, said electron-emission region containing an electrical discontinuity, at least a portion of said electron-emission layer extending from a surface of the first electrode to a surface of the second electrode, for emitting an electron from the electron-emission region upon an application of a low voltage across said first and second electrodes, a matrix wire configuration comprising

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row wires and column wires respectively corresponding to the rows and columns of the electron emission elements arranged in the matrix, a signal applier, arranged for applying a scan signal to the row wires, and a modulation signal to the column wires corresponding to the scanned electron emission elements, to cause a low voltage to be applied across the first and second electrodes of each electron emission element, wherein the signal applier applies the modulation signal to the column wires in synchronization with the application of the scan signal to the row wires.

Regarding claims 57-67, claims 57-67 are allowable for the reasons given in claim 56 because of their dependency status from claim 56.

Regarding claims 69, 73 and 85, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 69, 73 and 85, and specifically comprising the limitations of the electron source plate also comprising a matrix configuration of a plurality of row wires and N column wires respectively corresponding to the rows and columns of the electron-emitting devices arranged in a matrix, each of the rows and columns of the electron-emitting devices arranged in the matrix, each of said N column wires being connected exclusively to a corresponding one of N column leads, and a voltage applier disposed outside of the housing (or leads extending from inside of said housing to outside of said housing as stated in claim 85) and arranged for applying a scan signal to the row wires, a modulation signal to column wires, and an acceleration voltage to the acceleration electrode, the modulation signal comprising a series of one-row data of image data which is to be assigned to the N column wires and each one-row data image data in the series being sequentially applied one-row data by one-row data to the N column leads in synchronization with the scan signal.

Regarding claims 100, 102 and 103, claims 100, 102 and 103 are allowable for the reasons given in claim 69 because of their dependency status from claim 69.

Regarding claims 74-84 and 104-106, claims 74-84 and 104-106 are allowable for the reasons given in claim 73 because of their dependency status from claim 73.

Regarding claims 86-99, claims 86-99 are allowable for the reasons given in claim 85 because of their dependency status from claim 85.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Mariceli Santiago/
Primary Examiner, Art Unit 2879